

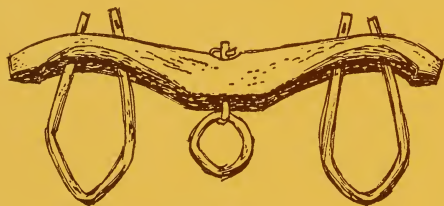
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Lawyer Lincoln

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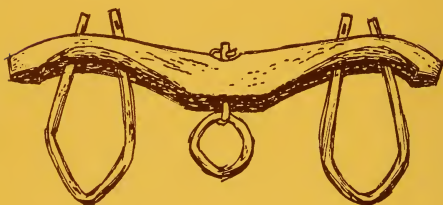
HENRIETTA CALHOUN HORNER

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Lincoln
Room

Author
J. R. WEBER
who as a boy
gained inspiration by sitting on the
knee of Lawyer Lincoln

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Introduction

LAWYER LINCOLN

SO MUCH has been written and spoken in eulogy—and misrepresentation—of Abraham Lincoln, of late years, it would seem that the saturation point of oratory and tradition had at last been reached.

It is regrettable that so many magazine writers appear to derive satisfaction, and no doubt pecuniary profit, by an unwarranted invasion of the home-life of Lincoln—from the cradle to the grave. And infinitely more to be regretted is the fact that their productions find favor with so many muck-rakers and scandal-mongers of the present day.

The legal career of Abraham Lincoln—which was by no means one of mediocrity—has never been accorded the attention to which his profound research along that line entitled it. Writers of fictitious history have no doubt found it far too prosaic to measure up to their twentieth century ideas of what a real up-to-date hero should be.

This story is founded on data obtained from the archives of the State Historical Society of Illinois, and confirmed by court records, which should be a sufficient guarantee of its authenticity.

Lawyer Lincoln

THAT portion of Central Illionis through which the Sangamon river flows, is little changed from what it was a hundred years ago. There were no cities of great importance along its banks at that time, and there are none today. Wilderness was king a century ago, and the same monarch holds sway at the present time.

Great sycamore trees flourish along the banks, reaching out their spectral branches to their fellows across the narrow stream, and a veritable tumult of unmolested vines and undergrowth flourish close to the water's edge. Even and anon the oppressive stillness is broken by the chatter of the birds in the bushes and the sighing of the winds in the tops of the tall trees.

In summer-time the man of piscatorial proclivities, with rod and line, is lured into this insect-haunted locality, and in the winter-time the huntsman with dog and gun, fare forth to break the silence of the dismal forest.

Down this river almost a hundred years ago, there floated a rudely constructed flat-boat, on an uncertain

voyage to the city of New Orleans. This was a hazardous undertaking, and one that seldom if ever before had been attempted. The voyage was projected by Denton Offutt, a primitive plunger and capitalist of that time. The crew consisted of Abraham Lincoln, then about twenty-two years of age; his uncle, John Hanks, and his half-brother, John D. Johnson. Lincoln was officiating in the capacity of cook, for which service he was promised the magnificent salary of fifty cents per day for the duration of the trip.

The voyage was fairly begun when an obstacle was encountered at a small village on the bank of the Sangamon, called New Salem. Here the boat was delayed for an indefinite period on account of a newly constructed dam across the river.

Lincoln Meets Ann Rutledge

DURING this time Lincoln seems to have made numerous acquaintances and acquired many friends who figured conspicuously in his after life. Here he became acquainted with the village belle—Ann Rutledge, which

was the beginning of a most pathetic romance, which was probably his first real love affair, of which much has been written, as love affairs frequently are. This brief delay at New Salem proved to be a most portentous period in the life of Lincoln.

Finally there was a rise in the waters of the Sangamon, so that the boat could float safely over the crest of the dam, and pursue its course down the river on its voyage to New Orleans.

It is not essential to the thread of this narrative to follow it as it nosed its way among the numerous snags of the Sangamon and Illinois rivers, and over the treacherous sand bars of the Mississippi. The voyage was finally completed after weeks of danger and privation.

Lincoln and his companions remained at New Orleans for an indefinite period—though a brief one. During this time Lincoln visited the slave marts of the southern metropolis where he found conditions so abhorrent, it is said he registered a solemn vow to devote his entire life, if neces-

sary, to strike a blow that would place the damnable institution of slavery in a condition of ultimate extinction. Whether he really made this vow, or whether it is merely tradition, we are unable to state, but a third of a century later, the opportunity came to him, as President of the United States, to strike a blow that set the bondman of two hundred and fifty years thence forth and forever free.

Returns to New Salem

WE next hear of Lincoln back at New Salem. Whether it was a lingering memory of Ann Rutledge that lured him to this unpromising locality, or whether it was to a lucrative offer of a position, as head clerk in the general store of Denton Offutt, history leaves us in doubt. He was functioning at Offutt's store when he first became acquainted with Stephen A. Douglas, who in after years, became his most aggressive political antagonist. Douglas, referring to this meeting some years later made the statement in public, that the first time he ever saw Lincoln, he was behind the counter selling whiskey. Lin-

coln promptly plead guilty adding this trite rejoinder: "I was the seller, the Judge was the buyer."

Lincoln referring to his early acquaintance with Douglas, said, "The first time I met Douglas, I thought he was the least man I ever saw." Lincoln was twelve inches taller than Douglas, but weighed little if any more. In many of Lincoln's contentions with Douglas on the stump, it is a noticeable fact that Douglas kept him on the defensive, by flagrant misrepresentations. Lincoln seems to have had little difficulty in extricating himself from these oratorical pitfalls, with advantage to himself and not unfrequently, to the confusion of his adversary. Lincoln and Douglas were the master-logicians and statesmen preeminent of their day and generation. Douglas was an unfair politician but notwithstanding their life-long political antagonisms, they were good friends, contrary to the general belief.

Lincoln's popularity at New Salem, and in the surrounding locality seems to have been based more on his strength of braun than of brain

Not to imply that he was lacking in mental capacity, by no means. In that respect he was more likely the equal, if not the peer of any of his newly-found friends.

Lincoln was a veritable Hercules as to strength. Many unbelievable stories have been related of muscular achievements, for which I am not in a position to vouch. It is said, that he could hold a half barrel of whiskey at arm's length, and drink from the bung-hole. It is possible that there are men now "listening in" who could drink from the bung-hole of a barrel of whiskey, if the opportunity were offered. It is certain however, that Lincoln never drank from a barrel of whiskey, for it is a well-authenticated fact, that he drank very little, if any at all. Nor was he addicted to the use of tobacco in any of its various forms.

Lincoln was undoubtedly a man of great physical power and a most skillful wrestler, and it was not long until he had achieved widespread notoriety on this account.

In his zeal and admiration for his employer, Denton Offutt, who was a

sporting man of that primitive period, declared Lincoln to be the "best man" in Sangamon County. He boasted in public that Lincoln could outrun, out-jump, or throw down any man in that locality, and intimated that he had the money to back up his assertion. The sequel proves that his boast was not long to go unchallenged.

Lincoln's Friendship With Jack Armstrong

A FEW miles to the south-west of New Salem there was a strip of timber, known as Clarey's Grove. A coterie of young men who lived in that locality, under the leadership of one, Jack Armstrong, was a veritable terror to the region round-about. They formed a self-constituted organization of so-called "regulators", who assumed to enforce their decrees, whether they were right or wrong. The Clarey's Grove Gang—as it was commonly called—was organized on the theory of "each for all and all for each". The gang was ready to fight for a principle, or any old thing, individually or collectively, that happened to strike their fancy. It was said that some of

the members were religiously inclined, and could pray fervently at a camp meeting, shake a wicked foot at a rural dance, or shuffle successfully in a game of poker. For all this they were reputed to be generous and kind-hearted, in a way—provided always, it was their way.

One day after a heated discussion at Offutt's store, a bet was arranged between Offutt and Jack Armstrong, that Lincoln could throw Armstrong in a wrestling bout. Lincoln was not enthusiastic over this sort of notoriety, but reluctantly consented to please his friend Offutt. It was understood that the contest was to be a friendly one, and fairly conducted. The sequel proved that this part of the agreement was given little consideration, on the part of the Clarey's Grove boys. The result was that Lincoln became exasperated, on account of some unfair tactics, and lifting his antagonist from the ground, he shook him lustily, until he cried enough.

From this time on, Jack Armstrong, and his wife, Hannah Armstrong, and all the little Armstrongs, were fast

friends and enthusiastic admirers of Abraham Lincoln. They were loyal champions and staunch supporters of their hero, in his first political campaign which occurred the following year. Lincoln was a candidate for representative in the state legislature from Sangamon County on the Whig ticket. He was defeated in this, his first political contest, but it was the only time in his entire career that he was ever beaten by the people, at the polls. Two years later, he was again a candidate for the same position, and was elected. He was reelected for the next two successive terms, for the same position.

A quarter of a century after this, Lincoln had an opportunity to repay the Armstrongs, for the many acts of kindness and assistance they had rendered him at this period of his career.

The Sum and Substance of My Story

IN August, 1857, a religious camp-meeting was in progress in Mason County—adjoining Sangamon. Such meetings were not uncommon in those days. They brought together, not only

the religiously inclined people, from a considerable area, but were also occasions for the assemblage of the more lawless elements of the neighborhood.

These disreputable characters amused themselves on the outskirts of the camp-grounds, by gambling and fighting. Duff Armstrong, a son of Jack—Lincoln's old friend and wrestling antagonist—who inherited most of the undesirable traits of his father, and a small perfectage of the laudable ones, was present one night at the meeting. He was desirous of restoring the questionable glories of Clarey's Grove, and on this particular occasion, unfortunately for him, an opportunity was offered. A man by the name of Metzker—a quarrelsome character of the neighborhood was present, and it was not long before a general fight over some trivial matter ensued. Duff Armstrong participated in this altercation as one of the principals. During the fight Metzker received injuries from which he died three days later. Armstrong and one of his companions

were immediately arrested and in due time were indicted on the charge of murder.

It is not essential to the thread of this narrative, to follow the case of Armstrong through its devious ramifications in the courts, during the greater part of the year following. The case of his partner in crime being disposed of in another county. Armstrong came up for trial, on a change of venue to Cass County, on the 7th of May, 1858, in the Circuit Court at the city of Beardstown.

During the time Armstrong was in Prison pending his trial, his father, Jack Armstrong, passed away. This left the burden of defense of their wayward son, on his widow—Hannah Armstrong, who was then quite advanced in years, and in none too good condition financially. In fact it became necessary for her to dispose of her small farm of forty acres in order to obtain the necessary funds to proceed with the defense.

In her dire extremity she bethought herself of her old friend, "Abe" Lincoln, as they always called him in

bygone days. She was somewhat loth to appeal to so important a personal, but her necessity knew no bounds. The appeal was made, and the sequel proves that it was not made in vain.

Hannah Armstrong Enlists Lincoln's Aid

ABRAM LINCOLN was then a lawyer, of more than ordinary prominence, at Springfield. He was "Hon." Abraham Lincoln—if you please—having served one term in the congress of the United States, and three successive terms as representative from Sangamon County in the State Legislature.

At that time he was regarded as the logical candidate for United States senator, the contest for which was to occur the following year. In addition to this, he was frequently mentioned as a prospective candidate for the Presidency of the United States in 1860.

He was already a great man, but he was not too great to give ear to the pathetic appeal of his old friend and helper, Hannah Armstrong. Here is

his reply to that appeal. It is a verbatim copy of the original:

Springfield, September, 18, 1857

My dear Mrs. Armstrong: I have heard of your deep affliction, and the arrest of your son for murder. I can hardly believe that he can be guilty of the crime alleged against him. It does not seem possible. I am anxious that he should have a fair trial, at any rate; and gratitude for your long continued kindness to me in adverse circumstances, prompts me to offer my humble services, gratuitously, in his behalf. It will afford me an opportunity to requite, in a small degree, the favors I received at your hands, and that of your lamented husband, when your roof afforded me grateful shelter, without money and without price.

Yours truly,

ABRAHAM LINCOLN

Public opinion at the time of the trial, rather leaned to the belief that Armstrong was really the murderer of Metzker—that it was he who struck the fatal blow that resulted in death.

There is no reason to believe that Lincoln shared in this conviction. In his letter to Hannah Armstrong he states, explicitly: "I can hardly believe he can be guilty of the crime alleged against him." Be that as it may, the several witnesses for the defense, were undoubtedly unreliable, and of unsavory reputation, and not calculated to impress the jury favorably. Lincoln seems to have realized this. He apparently felt that their testimony would be more of a disadvantage to his case than otherwise, and they were given scant consideration. When the testimony was all in, it seemed a foregone conclusion on the part of everybody—with the exception of Lincoln—that the verdict would be for the prosecution.

The state seemed so sure of securing a verdict of guilty, that it introduced but a single witness. This witness—Allen by name—swore positively that he saw Armstrong strike the fatal blow, with a "sling-shot"—a common weapon of offense and defense, much in use those days.

Lincoln listened intently to the testimony of the witness. He weighed every word of it—separately and collectively—and the sequel proves that he weighed it correctly. His wonderful intuition convinced him that Allen was testifying falsely and as is usually the case with such witnesses—recklessly. He was not slow to turn this to the advantage of his client. In his cross-examination of the witness, he led him along pleasantly, but most adroitly. When the witness faltered for the proper words, the shrewd lawyer was alert to supply them in the most affable manner. In this way he succeeded in bringing out the minutest details as to just what the witness claimed to have seen. The exact hour—to the very minute—at which the fatal blow was struck, was duly recorded.

The witness was asked to tell the jury how it was possible for him to see so accurately at this hour of the night. He faltered a little, but finally stated: **“By the light of the moon”**. Then the great lawyer lead the unsuspecting witness along, in his most seductive manner, finally prompting

him to assert positively, that the moon was full at that hour of the night, and that its position in the heavens was about where the sun would be at one o'clock in the daytime.

Lincoln iterated and re-iterated these questions until the witness, the court, and the jury were alike worn out with the proceedings. Then the defense rested its case, and the court took a recess until the afternoon, when the arguments were to begin.

The Appeal on Behalf of Duff Armstrong

LINCOLN'S appeal on behalf of his client was a masterful one, said to be the greatest effort of his legal career. The impression it made on the mind of one who was present at the trial, is here presented in his own language:

"The day was warm and sultry, and as he rose to make his closing argument, he removed his coat and vest, and later, his stock. His suspenders were home-made knitted ones, and as he warmed up to his argument, one of them slipped from his shoulder and

fell to his side, where it remained until he had finished speaking. All this was overlooked under the spell of his fiery eloquence and masterly argument, his tender and pathetic pleading for the life of the son of his old benefactress."

Lincoln made bold to assert that the witness, Allen, had testified falsely. He denounced him as a liar and perjurer, and declared to the jury that his testimony was unworthy of consideration. In proof of which—at the phsychological moment—he took from the pocket of his coat, which he had carelessly thrown over the back of a chair—quietly and deliberately—an almanac for the year 1857, which he had obtained from a nearby drug store. He turned over the leaves, until he came to the month of August, and then passing it to the jury he demonstrated to them the truth of his assertion, that Allen was unworthy of belief. The almanac furnished unquestionable evidence of this, for it showed, that on the night of the murder, **the moon was not at the full**, and that it could not possibly have been at the point in the heavens, at the

time the murder was committed as the witness had positively stated.

The case went to the jury, and a verdict of not guilty was rendered in less than an hour. And thus, the case of the People of the State of Illinois vs. Duff Armstrong, came to a sudden and unexpected termination.

After the verdict had been announced, the great council for the defense led Duff to his weeping and overjoyed mother. Holding him by both hands, and looking him squarely in the eyes, Lincoln admonished him to make a man of himself, that he might be a comfort to his mother in her declining years. This he promised to do. He kept his promise faithfully, and ultimately became an upright and honorable citizen.

Duff Armstrong enlisted in the union army in 1862. During his service he contracted a serious illness, on account of which he was sent to an army hospital at some point in the east. His mother appealed to Lincoln, asking that he be sent home, and her appeal was promptly complied with. His mother patiently and lovingly nursed

him back to health. He became an honorable and useful citizen.

The old Cass County Court House still stands, just as it was when this celebrated case was tried within its walls. At the present time it is used as the city hall of Beardstown, Illinois.

On February 12, 1909, the Women's Club of Beardstown, held a public meeting in the old court room, in commemoration of the one hundredth anniversary of the birth of Abraham Lincoln. On this occasion a bronze tablet was unveiled, bearing this inscription:

The Beardstown Women's Club erected this tablet February 12, 1909, in memory of Abraham Lincoln, who for a Mother in distress, cleared her son, Duff Armstrong, of the charge of murder, in this hall of justice.





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